

### REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-18 are pending in this application. Claims 1-18 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. publication 2003/011528 A1 to Watanabe et al. (herein "Watanabe") in view of U.S. publication 2001/0042093 A1 to Shirai et al. (herein "Shirai") in further view U.S. patent 6,353,823 to Kumar.<sup>1</sup>

Initially, applicants note that each of the independent claims is amended by the present response to make clarifications. More specifically, independent claim 1 now further recites "camera control means", "a microphone", and a "generating means". Independent Claim 1 also clarifies that with the picture information at least one of words or sentences is stored. The above-noted subject matter is believed clear from the original specification, for example at page 55, line 6 et seq. Each of the claims now also clarifies that the picture and the at least one of words or sentences is stored as a "file of said picture, said at least one of words or sentences being stored at a predetermined position in the file of said picture". That feature is supported by the original specification for example at page 56, lines 7-19.

According to further features set forth in the claims, a camera takes a picture and at least one of words or sentences with that picture can be input and then stored in a memory with the picture information as a file of the picture, the at least one of words or sentences being stored at a predetermined position in the file of the picture. As a non-limiting example, the above-noted feature can be directed to associating a picture to be part of an e-mail with associated text, for example describing the picture, also desired to be part of the e-mail. Such a single file combining the picture and the at least one of words or sentences is saved. Also, as set forth in the pending claims, when the saved file is selected transmission information,

---

<sup>1</sup> The statement for the rejection on the top of page 3 in the Office Action does not expressly indicate reliance on the teachings in Kumar, but instead cites U.S. patent 5,692,225 to Bernardi et al.; but the body of the rejection, see for example the first full paragraph on page 4 of the Office Action, only refers to Kumar (not Bernardi), and Kumar (not Bernardi) appears necessary for the rejection. Thus, the present response addresses the rejection further based on the teachings in Kumar (not Bernardi).

for example the specific e-mail transmission file, is also created. The above-noted features are believed to clearly distinguish over the applied art.

Applicants respectfully submit that the applied art does not disclose or suggest each of the newly recited “camera control means” and “generating means...”, or similarly recited method operations. With the above-noted features a specific operation can change a camera from a first state to a second state, and when that operation is in the second state words and/or sentences corresponding to a recognized voice are generated. At least one of the words or sentences can then also be stored in a memory, as discussed in further detail below. Such features as clarified in the claims are believed to clearly distinguish over the applied art.

Moreover, as noted above, the claims further clarify that a picture file includes both a picture and at least one of words or sentences. Applicants respectfully submit that none of the applied art teaches or suggest that a picture file includes both a picture and at least one of words or sentences.

To meet such a claim feature the outstanding rejection now cites the teachings in Kumar, and specifically indicates that Kumar “teaches a memory means for storing picture and associated information as a file (col. 3 lines 56-62 and col. 4 lines 10-12)”.<sup>2</sup>

However, applicants traverse that position and note that Kumar does not teach or suggest that any memory therein stores in a specific picture file the picture and at least one of words or sentences. As a non-limiting example, in the claimed invention a voice comment can be attached to a picture file, for example can be attached to a predetermined position in a header of a still-picture file. Such a type of operation, and in particular the features clarified in the claims, are neither taught nor suggested by Kumar.

Applicants submit the outstanding rejection misconstrues the teachings in Kumar relative to the claimed features.

---

<sup>2</sup> Office Action of June 7, 2004, page 4, lines 5-6.

Kumar discloses utilizing a storage module to create associative information on images stored and filed, which allows a user to use a search module to search for the stored image using the associative information.<sup>3</sup> However, Kumar expressly states “the associative information for each image stored using the system is kept in an *associative information file*...”.<sup>4</sup> Kumar also expressly states “*the filename* for the image and all associative information are stored in an associative information file”.<sup>5</sup>

From the above-noted disclosures in Kumar, it is clear that in Kumar a picture file does not include both picture information and at least one of words or sentences. In Kumar the associative information file includes only *the filename* of the picture and the associated information.

In contrast to Kumar, in the claims a picture file includes both the actual picture itself, not merely the filename of the picture, and at least one of words or sentences.

In such further ways, the outstanding rejection is traversed in that Kumar cannot overcome the recognized deficiencies in Watanabe and Shirai.

Thereby, applicants respectfully submit that each of the pending claims distinguishes over the applied combination of teachings of Watanabe in view of Shirai in further view of Kumar.

---

<sup>3</sup> Kumar at column 3, lines 56-61.

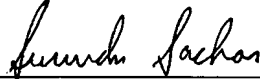
<sup>4</sup> Kumar at column 3, lines 61-62 (emphasis added).

<sup>5</sup> Kumar at column 4, lines 10-12 (emphasis added).

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

Bradley D. Lytle  
Registration No. 40,073  
Surinder Sachar  
Registration No. 34,423  
Attorneys of Record

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)  
SNS:smi

I:\ATTY\SNS\20's\203779\203779US-AF DUE 090704.DOC